

### REMARKS

This amendment is in response to the Official Action mailed January 05, 2006. In the amendment, claim 1 has been amended and claims 1-13 remain pending in the application. Reconsideration of the pending claims is respectfully requested.

These amendments add no new matter. The feature providing the photographing direction as being in the range of  $\theta b$  when it is more than about 60 degrees away from the front of the screen is variously described in the specification. For example,

“when the image pickup unit 12 is rotated to the rear of the screen 14 so that the photographing direction is set at an angle of about 60° or more away from the front of the screen 14, the direction detection switch 18 outputs the direction detection signal. Accordingly, when the photographing direction lies in a rotation range of  $\theta f$  (60°) shown in FIG. 3, the direction detection switch 18 does not output a direction detection signal. When the photographing direction lies in a range of  $\theta b$ , the switch outputs the direction detection signal.”

(See, e.g., U.S. Pub. No. 2002/0021901A1, at [0023]).

This and other embodiments clearly include the feature of causing the output of the direction signal where the photographing direction is more than about 60 degrees away from the front of the screen as claimed.

Claims 1-13 were rejected under 35 U.S.C. § 112, ¶1, as failing to comply with the written description requirement.

Specifically, the Examiner indicates that respective limitations in claim 1 are derived from distinct embodiments. Specifically, a first limitation relating to first and second end support means as found in a first embodiment, and a second limitation relating to a particular range of motion found in a second embodiment.

Amended claim 1 recites: *[a] device for controlling an exposure of an electronic camera, said camera being mounted on an electronic apparatus having a display and the camera being capable of setting a photographing direction to at least a forward or a rearward direction of the electronic camera, said device comprising:*



*exposure detecting means for generating exposure detection information indicative of the average magnitude of said video signals of a photographed image based on video signals generated by the electronic camera;*

*exposure adjusting means for adjusting the exposure of the electronic camera based on said exposure detection information generated by said exposure detecting means;*

*camera support means for rotating the electronic camera in a plane perpendicular to and in a plane that vertically extends from the display of the electronic apparatus;*

*photographing direction detecting means for outputting a corresponding direction detection signal when the photographing direction of the electronic camera is set to the rearward direction,*

*wherein the exposure detecting means logically divides one photographed image according to first and second patterns, and in the division by said first pattern, divides said photographed image into an upper area and a lower area to generate first exposure detection information relatively strongly reflecting the magnitude of said video signal corresponding to said lower area; and in the division by said second pattern, divides the photographed image into a central area and a peripheral area to generate second exposure detection information relatively strongly reflecting the magnitude of the video signal corresponding to said central area,*

*wherein the camera support means are located on an end of the electronic camera,*

*wherein said photographing detecting means is adjacent to the electronic support means located on the end of the electronic camera,*

*said exposure adjusting means adjusts the exposure of the electronic camera on the basis of said first exposure detection information when said photographing direction detecting means outputs said direction detection signal,*

*wherein the exposure adjusting means adjusts the exposure of the electronic camera on the basis of said second exposure detection information when the photographing direction detecting means does not output a direction detection signal,*

*wherein the photographing direction detecting means outputs the direction detection signal only when the photographing direction is rotated on the camera support means in a range of  $\theta b$ , and*



*wherein the photographing direction is in the range of  $\theta b$  when it is more than about 60 degrees away from the front of the screen.*

Amended claim 1 generally recites that the support means “are located on an end of the electronic camera,” which corresponds generally to the embodiments in the specification in that either only one end, or first and second ends may be encompassed by the claimed invention. Additionally, the range of  $\theta b$  has been amended to recite “*wherein the photographing direction is in the range of  $\theta b$  when it is more than about 60 degrees away from the front of the screen.*” This recited range is consistent with at least a portion of the recited ranges for each of the embodiments of the specification, and thus also corresponds generally to the embodiments in the specification. At the very least, the range corresponds directly to at least one embodiment, as noted in the passage of the specification cited above (paragraph [0023] of the noted U.S. Pub. Application). Thus the claim cannot be said to recite mutually exclusive features.

Applicant submits that amended claim 1 does not include limitations for mutually exclusive embodiments and requests reconsideration and withdrawal of the rejection of claim 1, as well as dependent claims 2-13, under 35 U.S.C. § 112, ¶1.

For the foregoing reasons, reconsideration and allowance of the claims which remain in this application are solicited. If any further issues remain, the Examiner is invited to telephone the undersigned to resolve them.

Dated: April 3, 2006

Respectfully submitted,

By 

Ronald P. Kananen

Registration No.: 24,104

Christopher M. Tobin

Registration No.: 40,290

RADER, FISHMAN & GRAUER PLLC  
1233 20th Street, N.W.  
Suite 501  
Washington, DC 20036  
(202) 955-3750  
Attorney for Applicant